

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

**REYNALDO VALENTIN
DARMY ALMODOVAR

DEBTORS**

CASE NO.: 09-04925

CHAPTER 13

**MOTION FOR CONTINUATION OF THE AUTOMATIC STAY IN CASE
FILLED AFTER PRIOR DISMISSAL WITHIN ONE YEAR OF FILING**

TO HONORABLE COURT:

COMES NOW DEBTORS, through their undersigned attorney and respectfully
STATE, ALLEGE AND PRAY:

1. The Debtor notifies all Creditors and Parties in interest and hereby moves this Court, pursuant to §362(c)(3)(B), for an order continuing the automatic stay provided under §362(a) as to all creditors. In support of this motion the Debtor states as follows:
2. The Debtor filed a petition under chapter 13 on June 17, 2009.
3. The Debtor had previously filed a chapter 13 case on July 18, 2008 which was dismissed on June 5, 2009 for lack of payment.
4. The Debtor had special circumstances and changes that will allow him to complete his new chapter 13 plan.
5. Shortly after the previous petition was filed, debtor's wife had to undergo medical treatment that was not covered by her medical insurance and was forced to make adjustments on her payments to allow for her medical deductions. Currently she is healthy again and ready to complete her Chapter 13 payments. In fact, debtor's have arranged for all secured payments and arrears including car payments to be made directly thru her Chapter 13 to prevent late payments.
6. The petition in this case has been filed in good faith. Debtors believe that the chapter 13 plan they have submitted will be confirmed and that they will be able to fully perform under the terms of the plan.

7. The Debtor's prior chapter 13 case, dismissed on June 5, 2009, was the only previous case Debtors had pending during the preceding year and they were up to date in the plan payments before it was dismissed and had arrears in their car payments only.

8. The Debtors prior chapter 13 case was not dismissed because Debtors failed to file or amend their petition or any required documents or to provide adequate protection ordered by the court.

9. The Debtors previous chapter 13 case was not dismissed at a time when there had been a motion for relief that was pending before the court or resolved with an order terminating, conditioning, or limiting the stay.

THEREFORE, Debtors request that this Honorable Court continue the automatic stay under section 362(a) as to all Creditors for the duration of this chapter 13 proceeding, or until such time as the stay is terminated under secc.362(c)(i), or a motion for relief is granted under secc. 362(d).

RESPECTFULLY SUBMITTED

NOTICE

"Parties in interest are hereby granted eleven (11) days from the date of this notice to request a hearing. If no opposition is filed within the prescribed period of time the Court will enter an order granting the motion upon the filing of a certificate by the movant that adequate notice was given. Should an opposition be timely filed the Court "will schedule the motion for a hearing as contested matter. Absent good cause, untimely rejection shall be denied."

I HEREBY CERTIFY: That a copy of this motion has been served to the Chapter 13 Trustee through CM/ECF and to all creditor and parties in interest by regular mail as per master address list

RESPECTFULLY SUBMITTED.

In San Juan Puerto Rico, this 17th day of June, 2009.

/s/ HECTOR VELAZQUEZ HERNANDEZ

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